

(25) That these measures shall be administered without discrimination against Negroes, Mexicans, or foreign born.

Approved and submitted by the Unemployed Council of Austin; Unemployed Workers Ind. Union of Austin;

Common Labor Union of Ranger; Common Labor Union of Cisco; Common Labor Union of Eastland; Common Labor Union of Breckenridge;

Farmers Union of Strawn; Brotherhood of Railroad Carmen of Dallas;

Workers Protective Union of Dallas; Mexican Central Council of Dallas; Good Government League of Dallas; Workers and Farmers Co-operative League of Dallas;

Central Unemployed and Workers Council of Dallas;

Socialist Party of Dallas;

Socialist Party of Austin;

Socialist Party of Texas;

The Unemployed Council of Houston; The Citizens Constructive Association of Fort Worth;

Veterans of Industry of Paris;

Unemployed League of Waco;

Texas Council of Unemployed, Austin, Texas;

Through the State Co-ordinating Committee of Unemployed and Common Labor Unions and Councils of Texas.

CARL BRANNIN,  
Dallas, Chairman;

J. M. BARRON,  
Austin, Secretary.

#### ADJOURNMENT

On motion of Mr. Thornton, the House, at 12:08 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions as follows:

Agriculture: House Bills Nos. 39 and 296.

Contingent Expenses: House Simple Resolutions Nos. 20 and 33.

Criminal Jurisprudence: House Bills Nos. 67, 202, 299, and 300.

Education: House Bills Nos. 119, 120, and 278.

Judiciary: House Bills Nos. 110, 166, and 173.

Municipal and Private Corporations: House Bills Nos. 46 and 81.

Public Health: House Bills Nos. 91 and 194.

School Districts: House Bill No. 182.

#### SIXTEENTH DAY

(Wednesday, January 30, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Fain
Adamson	Farmer
Adkins	Fitzwater
Aikin	Ford
Alexander	Fox
Alsup	Frazer
Ash	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Good
Bourne	Graves
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hardin
Butler of Brazos	Harris of Archer
Butler of Karnes	Harris of Dallas
Cagle	Hartzog
Caldwell	Head
Calvert	Herzik
Canon	Hill
Celaya	Hodges
Clayton	Hofheinz
Collins	Holland
Colquitt	Hoskins
Colson	Howard
Cooper	Huddleston
Cowley	Hughes
Craddock	Hunt
Crossley	Hunter
Daniel	Hyder
Davis	Jackson
Davison of Fisher	James
Davisson	Jefferson
of Eastland	Jones of Atascosa
Dickison	Jones of Falls
Dunagan	Jones of Runnels
Dunlap of Kleberg	Jones of Shelby
Dunlap of Hays	Jones of Wise
Duvall	Keefe
Dwyer	King
England	Knetsch

Lange	Riddle
Lanning	Roach of Angelina
Latham	Roach of Hunt
Leath	Roane
Lemens	Roark
Leonard	Roberts
Lindsey	Rogers
Lotief	Russell
Lucas	Rutta
Mauritz	Scarborough
McCalla	Settle
McConnell	Shofner
McFarland	Smith
McKee	Spears
Moffett	Stanfield
Moore	Steward
Morris	Stinson
Morrison	Stovall
Morse	Tarwater
Newton	Tennyson
Nicholson	Thornton
Olsen	Tillery
Padgett	Venable
Palmer	Waggoner
Patterson	Walker
Payne	Wells
Petsch	Westfall
Pope	Wood of Harrison
Quinn	Wood of Montague
Reader	Worley
Reed of Bowie	Young
Reed of Dallas	Youngblood

## Absent—Excused

Fisher Luker

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence on account of important business:

Mr. Luker for today, on motion of Mr. King.

The following members were granted leaves of absence on account of illness:

Mr. Fisher for today, on motion of Mr. King.

Mr. Colson for Monday and Tuesday of this week, on motion of Mr. Hoskins.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Russell, Mr. Knetsch, Mr. Frazer, Mr. Lemens, Mr. Adamson,

Mr. Jefferson, Mr. Broyles, Mr. Dunlap of Kleberg, Mr. Spears, Mr. Payne, Mr. Dunlap of Hays, Mr. Settle, Mr. Adkins, Mr. Reader, Mr. Young, Mr. Cagle, Mr. Roark, Mr. Reed of Bowie, Mr. Reed of Dallas, Mr. Harris of Dallas, and Mr. Dickison:

H. B. No. 327, A bill to be entitled "An Act appropriating five million dollars (\$5,000,000) per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching conditions, regulations and limitations relative thereto, etc., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Holland and Mr. McCalla:

H. B. No. 328, A bill to be entitled "An Act to amend Chapter 116, General Laws, Forty-third Legislature, Regular Session, 1933, the same being House Bill No. 122, printed at page 288, General Laws of the State of Texas, passed by the Forty-third Legislature at the Regular Session, 1933, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Frazer, Mr. Davis, Mr. Knetsch, Mr. Russell, Mr. Canon, Mr. Venable, Mr. Newton, Mr. Stovall, Mr. Shofner, and Mr. Hodges:

H. B. No. 329, A bill to be entitled "An Act to amend Article 4518, Chapter 7, Title 71, of the Revised Civil Statutes of Texas of 1925, and repealing all laws in conflict therewith; prescribing the qualifications of applicants for registration as registered nurses under this law; prescribing the length of time applicants must have attended an accredited school of nursing and graduating therefrom; and defining an accredited school of nursing, as one connected with a general hospital having not less than twenty-five (25) beds with a daily average of not less than fifteen (15)

patients annually, etc., and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Petsch, Mr. Harris of Dallas, Mr. Graves, Mr. Knetsch, Mrs. Hughes, Mr. Cooper, and Mr. Collins:

H. B. No. 330, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission; providing for the appointment of members of the Public Safety Commission, and for the organization of the commission and of the department; providing for the transfer of the Texas Ranger force from the Adjutant General's Department to the Department of Public Safety; providing for the transfer of the State Highway Motor Patrol of Texas from the State Highway Department to the Department of Public Safety, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. McFarland, Mr. Lucas, Mr. Lotief, and Mr. Spears:

H. B. No. 331, A bill to be entitled "An Act to amend Article 2124 of the Revised Civil Statutes of 1925, providing that no jury trial shall be had in any civil suit unless an application therefor be made in open court and a jury fee of thirty-six dollars (\$36), if in the district court, and eighteen dollars (\$18) if in the courts having the civil jurisdiction of county courts, be deposited by the applicant with the clerk to the use of the county and providing for bond, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Gray:

H. B. No. 332, A bill to be entitled "An Act fixing a valid and subsistent claim against the State of Texas in favor of all counties which have outstanding bonds since September 23, 1932, issued for the purpose of constructing and/or aiding in the construction of State highways, and that may hereafter be issued and used for the construction of State highways, in whole or in part, for the amount of money so paid by such counties for the State; and providing such counties shall likewise have a valid, subsistent claim against the State of Texas for any sum or sums of money

which may be required to be paid for the State during the year 1935, and succeeding years, on account of the construction, in whole or in part, of State highways, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Butler of Brazos and Mr. Colson:

H. B. No. 333, A bill to be entitled "An Act amending Section 3 of Chapter 274 of the General Laws of the Regular Session of the Forty-first Legislature, relating to local mutual aid associations, so as to enlarge the territory to which the operations of such associations in the writing of business shall be confined, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Hartzog, Mr. Hankamer, and Mr. Reader:

H. B. No. 334, A bill to be entitled "An Act to provide that each life, health, and accident, life and accident, health and accident, or life, health and accident insurance company shall pay a gross premium receipts tax for the purpose of creating the "Rural and County Health Fund," designating a custodian for the funds; providing for the purposes for which the fund shall be used and the execution of such funds, providing a penalty, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mrs. Hughes:

H. B. No. 335, A bill to be entitled "An Act allowing clerks of Courts of Civil Appeals who transfer cases, under direction of the Supreme Court, to other Courts of Civil Appeals, certain additional compensation for extra services rendered incidental thereto, payable out of the fees of office; providing said compensation shall be in lieu of the compensation now allowed by law for the same services, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Roach of Hunt:

H. B. No. 336, A bill to be entitled "An Act to amend Article 755 of Chapter 1, Title 9, of the Code of Criminal Procedure of the State of

Texas, 1925, prescribing the time when motions for new trials may be made in misdemeanors and felony trials, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. England:

H. B. No. 337, A bill to be entitled "An Act amending Article 1025, Code of Criminal Procedure of Texas, 1925, relating to fees to be paid by the State to county and district attorneys in counties wherein there have been cast at the preceding Presidential election 3,000 votes or over; prescribing fees to be paid such county and district attorneys in habeas corpus cases wherein the applicant is charged with a capital offense only, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Smith:

H. B. No. 338, A bill to be entitled "An Act levying an occupation tax on the production of quicksilver; providing for an occupation tax of \$5 per flask of all quicksilver produced within the State of Texas; providing for the reports and records imposing forfeitures and penalties for failure to keep records; providing for penalties for failure to pay tax, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hartzog:

H. B. No. 339, A bill to be entitled "An Act making it unlawful for any person, firm, or corporation, using a motor vehicle for place of business, to engage in the business of buying or handling, for the purpose of sale, or to sell aquatic products to retail fish dealers, wholesale fish dealers, markets, or stores, before procuring a license from the Game, Fish, and Oyster Commission, privileging them so to operate; requiring the license to be publicly displayed in the place of business; providing a penalty and a rebate on licenses on such place of business heretofore issued, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Davisson of Eastland and Mr. Lotief:

H. B. No. 340, A bill to be entitled "An Act to validate all ad valorem

tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Atchison:

H. B. No. 341, A bill to be entitled "An Act declaring a closed season on wild fox in Cooke County for a period of five (5) years; providing a penalty for violation, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Russell, Mr. Aikin, Mr. Good, Mr. Dunagan, and Mr. Head:

H. B. No. 342, A bill to be entitled "An Act amending Senate Bill No. 13, Acts of the Fourth Called Session of the Forty-third Legislature, authorizing the secretary of the Board of Legal Examiners, with the approval of the Supreme Court, to appoint an assistant, prescribing a salary for same, authorizing payment of said assistant out of the fees of office of the clerk of the Supreme Court, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Quinn:

H. B. No. 343, A bill to be entitled "An Act to amend Article 5510 of Title 91, Revised Statutes of Texas, 1925, so as to define and describe the rights of parties under the ten-year statute of limitation in any actions for lands; limiting the amount of land that may be recovered under said statute; defining the method of fixing the beginning of said period of limitation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Dwyer:

H. B. No. 344, A bill to be entitled "An Act to amend Section eleven (11) of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, House Bill No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, House Bill No. 435, so as to provide by this Act, and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall not be required to furnish bonds, but shall each take the oath of office prescribed by the Constitution of Texas, and that certain fees shall be collected by the clerk of said courts and by him paid into the county treasury of Bexar County, Texas, and that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall each receive an annual salary of five thousand dollars (\$5,000), and providing for the payment of said salaries, etc., and declaring an emergency."

Referred to Committee on Counties.

By Mr. Lemens:

H. B. No. 345, A bill to be entitled "An Act to amend Article 4875a-3, Chapter 9a, Title 78, Revised Civil Statutes of 1925, providing and permitting local mutual aid associations to operate in the State of Texas and write business in territory embraced within one county, or to a territory embraced within a radius of one hundred (100) miles of the city or town of the association, including counties traversed by said radius or to all the counties adjoining that in which the home office is situated or where the home office of an association is located within less than one hundred (100) miles of border line of the State to a limited number of connecting counties whose total area does not exceed that allowed under the law to any other local mutual aid association of Texas, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Spears, Mr. Reader, Mr. Jefferson, Mr. Dwyer, and Mr. Dickison:

H. B. No. 346, A bill to be entitled "An Act repealing Chapter 317, For-

ty-second Legislature, Regular Session, as amended by Chapter 36, Forty-third Legislature, Regular Session, in so far as same may apply to the San Antonio Independent School District in Bexar County, Texas, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Daniel:

H. B. No. 347, A bill to be entitled "An Act providing that all sales of public free school lands hereafter made, both surveyed and unsurveyed, shall be with a reservation of the minerals to the State, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Fain:

H. B. No. 348, A bill to be entitled "An Act to regulate the quality of milk sold, or offered or exposed for sale, to prevent the sale of any milk from which anything has been extracted or to which anything has been added, except butterfat, and to prescribe a minimum butterfat content for milk which is herein defined; to provide that containers for milk shall truthfully state the minimum butterfat content, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Gibson and Mr. Latham:

H. B. No. 349, A bill to be entitled "An Act amending Section 6a, Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 59, page 123, Acts of the Forty-third Legislature, Second Called Session, providing for the fees of office that may be retained by certain precinct officers in certain counties, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Spears, Mr. Jefferson, and Mr. Roane:

H. B. No. 350, A bill to be entitled "An Act to amend Article 1072 of the Code of Criminal Procedure of Texas, 1925, so as to provide for fees to sheriffs and constables in criminal cases, in case of acquittal or dismissal, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Wells, Mr. Keefe, Mr. Jones of Wise, Mr. Morse, Mr. Reed of Dallas, Mr. Davison of Fisher, Mr. Davisson of Eastland, Mr. Head, Mr. Fain, Mr. Crossley, Mr. Roberts, Mr. Calvert, Mr. Beck, Mr. Alexander, Mr. Wood of Harrison, Mr. Steward, Mr. Cooper, Mr. Morris, Mr. Broyles, Mr. Alsup, Mr. Mauritz, Mr. Lange, and Mr. Leath:

H. B. No. 351, A bill to be entitled "An Act establishing a merit system of appointing employes of the various departments, agencies, and institutions of the State Government of Texas and declaring it to be the policy of the State to so establish same; providing for appointment of civil service commission of three members by the Governor, one of whom shall be director of personnel; providing one commissioner shall be appointed to serve two years, one four years, and director of personnel to serve six years; providing no commissioner shall hold any other office or employment under the United States, the State, county, city, or other political subdivision thereof; providing for salary and traveling expenses of director of personnel and other two commissioners; and that director of personnel shall devote entire time to duties, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Wells:

H. B. No. 352, A bill to be entitled "An Act amending Section 5 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature; regulating license fees for the registration of motorcycles and passenger cars; reducing such license fees on passenger cars, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mrs. Moore, Mr. Thornton, Mr. Morse, Mr. Hofheinz, Mr. McCalla, Mr. Howard, Mr. Holland, Mr. Westfall, and Mr. Fitzwater:

H. B. No. 353, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

Referred to Committee on Claims and Accounts.

By Mr. Craddock:

H. B. No. 354, A bill to be entitled "An Act providing that the holder of vendor's lien notes for the purchase money of real estate shall pay their proportionate part of all ad valorem taxes levied by the State, county, city, or any political subdivision thereof in the ratio of the amount of the indebtedness represented by such notes to the original purchase price, and providing that in the event the purchaser or vendee pays all such taxes levied against the lands covered by such vendor's lien he shall have credit on his note or notes held by the vendor for the proportionate part so due and payable by such vendor, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Petsch:

H. B. No. 355, A bill to be entitled "An Act amending Subsection 1 of Section 2 of Article 7057a, of the Revised Civil Statutes of Texas, as same was amended by Chapter 162 of the Acts of the Forty-third Legislature, 1933, and as amended by Chapter 12 of the First Called Session of the Forty-third Legislature of 1933; providing for the levy of an occupation tax of four cents (4c) on each barrel of forty-two (42) standard gallons of oil produced within this State; and/or four per cent (4%) of the market value of such oil when the market value is in excess of the value of one dollar (\$1) per barrel; and providing that one-fourth of such revenue shall be paid into and become a part of the Permanent School Fund, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Reader:

H. B. No. 356, A bill to be entitled "An Act amending Sections 3, 14, and 16, of the F. C. C. S. S. B. No. 49, Chapter 107, Acts of the Regular Session, Forty-first Legislature, 1929, relating to the salary of the Board of Pharmacy, providing renewal fees for licenses and prohibiting the use of the word "pharmacy" where no registered pharmacist is employed, and fixing penalties, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Quinn:

H. B. No. 357, A bill to be entitled

"An Act making it unlawful for any employer coming within the purview of the Workmen's Compensation Law of this State to make any arrangements with any insurance company for protection under said law other than under the ordinary compensation insurance policy form; providing that any such employer who violates this provision may, at the employee's option, be sued for damages for injury as at common law, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Roane:

H. B. No. 358, A bill to be entitled "An Act to amend Article 6606 of the 1925 Revised Civil Statutes of Texas by requiring officers taking the acknowledgment of a deed, or other instruments of writing, to have his name either typed or printed legibly thereon as hereinafter shown, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Roane:

H. B. No. 359, A bill to be entitled "An Act to amend Article 6607 of the 1925 Revised Civil Statutes of Texas by requiring the form of an ordinary certificate of acknowledgment to include either by typing or printing the name and character of the officer, as hereinafter shown, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Steward:

H. B. No. 360, A bill to be entitled "An Act to amend Article 1052, Title 15, Chapter 3, Code of Criminal Procedure of Texas, 1925, as amended by Chapter 104, Acts of the Forty-first Legislature, Regular Session, and Chapter 55, Acts of the Forty-first Legislature, First Called Session, by authorizing commissioners courts to limit the payment of fees, and declaring an emergency."

Referred to Committee on Counties.

By Mrs. Hughes:

H. B. No. 361, A bill to be entitled "An Act to amend Chapter 2, Title 42, Revised Statutes, 1925, by amending Articles 2007 and 2008, and adding two new articles, 2008a and 2008b, regulating pleas challenging the venue of causes, the contest of said pleas, and procedure relating thereto,

also the trial of such contest, and appeals from judgments sustaining or overruling such pleas, prescribing the effect of such appeal on the main cause, and providing that such plea shall not prevent the court in which the cause is pending, for sufficient cause, to enter all necessary orders for the preservation of the subject matter of the litigation, or its status quo, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Quinn:

H. B. No. 362, A bill to be entitled "An Act amending Articles 2791 and 2792, Chapter 13, Title 4, Revised Statutes of Texas, 1925, relating to the assessment and collection of taxes in independent school districts by requiring the county tax assessor-collector to assess and collect school taxes on property in independent school districts, prescribing certain duties, fixing compensation for such services, providing for bond for the collector, defining duties of officials in cases of enforced collection of taxes; providing for a board of equalization, prescribing its duties and powers, authorizing assessment to be made without reference to value for State and county purposes, excepting under named conditions independent districts constituted of a city or town, or whose boundary does not extend outside the corporate limits of a city or town, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Rogers, Mr. Patterson, Mr. Padgett, Mr. McFarland, Mr. Greathouse, and Mr. Youngblood:

H. B. No. 363, A bill to be entitled "An Act creating the Commission of the Volunteer Army of the War with Spain to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War Veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation, etc., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bradbury and Mr. Fox:

H. B. No. 364, A bill to be entitled "An Act providing the method by

which towns or cities may grant any right or franchise for use of public streets, avenues or alleys to any person, firm, or corporation."

Referred to Committee on Municipal and Private Corporations.

By Mr. Graves, Mr. Latham, Mr. Lange, Mr. Jones of Wise, Mr. Tennyson, Mr. Shofner, Mr. Alexander, Mr. Rogers, Mr. McConnell, Mr. Calvert, Mr. Venable, Mr. Clayton, Mr. Farmer, Mr. Harris of Archer, Mr. Davison of Eastland, Mr. Bradbury, Mr. Hunt, Mr. Fox, Mrs. Hughes, Mr. Thornton, Mr. Hankamer, Mr. Beck, Mr. Daniel, Mr. Leath, Mr. Cowley, Mr. Lindsey, Mr. McFarland, Mr. Lotief, Mr. Lucas, Mr. Glass, Mr. Keefe, Mr. Jones of Runnels, Mr. Head, Mr. Wells, Mr. England, Mr. Roark, Mr. Jones of Falls, Mr. Cagle, Mr. Ash, Mr. Tarwater, Mr. Alsup, Mr. McKee, Mr. Jefferson, Mr. Spears, Mr. Canon, Mr. Huddleston, Mr. Cooper, Mr. Hyder, Mr. Luker, Mr. Hodges, Mr. Tillery, Mr. Lanning, Mr. Hofheinz, Mr. Morris, Mr. Herzik, Mr. Wood of Montague, Mr. McCalla, Mr. Payne, Mr. Jones of Shelby, Mr. Ford, Mr. Davis, Mr. Roberts, Mr. Davison of Fisher, Mr. Fain, Mr. Mauritz, Mr. Bourne, Mr. Hardin, Mr. Scarborough, Mr. Rutta, Mr. Fisher, Mr. Steward, Mr. Youngblood, Mr. Roane, Mr. Dunlap of Hays et al.:

H. B. No. 365, A bill to be entitled "An Act defining the meaning of certain words, terms, and phrases used in the Act creating the Board of Public Utility Commissioners of Texas; prescribing its official seal; providing for the appointment, qualification, tenure, and removal from office of said commissioners; providing for the regulation, government, and supervision of public utilities and their functionings, and prescribing, defining and limiting the jurisdiction, powers, and duties of said board, its members, agents, and employees in connection therewith; levying a tax on public utilities and providing for its assessment and collection, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Walker and Mr. Clayton:

H. B. No. 366, A bill to be entitled "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating State of-

fices, defining crimes and providing penalties therefor; providing for the disposition of public funds and declaring that this Act shall not become effective until joint resolution as proposed to the voters of this State by the Forty-fourth Legislature has been adopted at the polls, and declaring an emergency."

Referred to Committee on Liquor Traffic.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Roach of Hunt:

H. J. R. No. 29, Proposing an amendment to Article III, Sections 4, 5, and 24 of the Constitution of the State of Texas, providing the time members of the House of Representatives shall take office; providing the Legislature shall meet in annual regular session and shall receive an annual salary; providing for the time and manner of submission thereof to the voters of the State of Texas, as required by the Constitution thereof, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

By Mr. Wood of Harrison and Mr. Hardin:

H. J. R. No. 30, Proposing an amendment to the Constitution of the State of Texas by adding to Article XVI another section, Section 61, providing for the abolishing the fee method of compensating all district officers of this State and county officers in the counties of this State having a population of twenty thousand (20,000) or more, and providing that all such district and county officers be paid on a salary basis, etc.

Referred to Committee on Constitutional Amendments.

By Mr. Petsch, Mr. Morse, and Mr. Smith:

H. J. R. No. 31, Proposing an amendment to Section 48, Article III of the Constitution of the State of Texas, authorizing the establishment of teachers' retirement systems, and



making an appropriation for the election.

Referred to Committee on Constitutional Amendments.

#### OATH OF OFFICE ADMINISTERED

Speaker Stevenson stated that Hon. A. T. McKinney, Representative-elect of the Twenty-ninth Representative District, was within the bar of the House, presenting his certificate of election, and that the constitutional oath of office would now be administered to him.

Mr. McKinney then came forward and took the constitutional oath of office, which was administered to him by Hon. Coke R. Stevenson, Speaker.

Speaker Stevenson presented Senator Gordon Burns, who in turn introduced Hon. A. T. McKinney.

Mr. McKinney then addressed the House.

#### BILL RE-REFERRED

On motion of Mr. Spears, House Bill No. 346 was withdrawn from the Committee on School Districts and referred to the Committee on Education.

#### MOTION TO PRINT HOUSE JOINT RESOLUTION NO. 17 ON MINORITY REPORT

Mr. Lemens moved that House Joint Resolution No. 17, reported adversely with a minority favorable report, be printed.

The motion was lost.

#### INVITING HON. WILLIAM MURRAY TO ADDRESS A JOINT SESSION OF THE HOUSE AND SENATE

Mr. McKee offered the following resolution:

H. C. R. No. 22, Inviting Hon. William Murray to address a joint session of the House and Senate.

Whereas, The Hon. "Alfalfa Bill" Murray is visiting in the State of Texas, and at the present time is in the City of Austin; and

Whereas, This colorful and public-spirited citizen of our sister State is well known to us by name; and

Whereas, Governor Murray has kept in touch with State and National affairs and is as well informed upon matters pertaining to State government and the many problems which

are confronting the present Legislature of the State of Texas; and

Whereas, We think it would be instructive and beneficial to this Legislature to have him address this body; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Hon. William Murray is hereby invited to address a joint session of the House and Senate at 10:45 a. m., Wednesday, January 30, 1935.

Signed—McKee, Knetsch, Bradford, Scarborough, Venable, Youngblood, Steward, Smith, Cooper, Jones of Wise, Wood of Harrison, Dunlap of Hays, Jefferson, Hodges, Canon, Lottief, Cowley, Nicholson, Glass, Young, Leonard, Craddock, Payne, Collins, Dunlap of Kleberg, Butler of Karnes, Latham, Bradbury, Alsup, Fox, Olsen, Broyles, Shofner, Lemens, Roark, Leath, Russell, Clayton, Dickison, Aikin, Stovall, Jones of Runnels, McConnell, Lindsey, Ford, Keefe, McCalla, Jones of Shelby, McFarland, Davis, Jones of Atascosa, Fuchs, Head, England, Hofheinz, Jones of Falls, Celaya, Adkins, Roberts, Stinson, Tillery, Adamson, Rogers, Harris of Archer.

The resolution was read second time, and was adopted.

In accordance with the above action, Speaker Stevenson announced the appointment of the following committee on the part of the House to escort Mr. Murray to the Speaker's stand: Messrs. Adamson, Rogers, Atchison, Walker and Waggoner.

#### CONCERNING INTERSCHOLASTIC LEAGUE OF TEXAS

Mr. McCalla offered the following resolution:

H. C. R. No. 21, Concerning Interscholastic League of Texas.

Whereas, The Interscholastic League of Texas annually sponsors and holds declamation and essay contests in each public school in the State of Texas; and

Whereas, The Interscholastic League of Texas has not included in the subject matter of such declamations and essays the lives and deeds of heroes of the Southern Confederacy and of the State of Texas; and

Whereas, It is the sense of the Legislature of the State of Texas that such heroes should be named in the subject matter of the declamations

and essays held by the Interscholastic League in the public schools thereof; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Interscholastic League of Texas be, and it is hereby, respectfully requested to include in the subject matter of the declamations and essays to be sponsored and held by it in the public schools of Texas the lives and deeds of all heroes of the Southern Confederacy and of the State of Texas; and be it further

Resolved, That a copy of these resolutions be forwarded to the Interscholastic League of Texas.

Signed—McCalla, Hofheinz, Howard, Holland, Spears, Canon, Gibson, Craddock, Cowley, Venable, Alexander, James, Hodges, Lanning, Mauritz, Lange, Young, King, Stovall, Wells, Fuchs, Tillery, Huddleston, Scarborough, Moffett, Roach of Hunt, Fox, Quinn, Alsup, Pope, Stinson, Russell, Frazer, Moore, Atchison, McConnell, Walker, Collins, Hankamer, Leath, Beck, Roark, Greathouse.

The resolution was read second time, and was adopted.

#### TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO STUDY EXPENDITURE OF STATE FUNDS

Mr. King offered the following resolution:

Providing for the creation of a House committee to inquire into the matter of the necessity for appropriations for the maintenance of the various State departments, and to investigate the use to which past appropriations have been put, and the necessity for making various appropriations in the future.

Whereas, Large appropriations must be made by the present Legislature in the face of the staggering and ever-increasing deficit; and

Whereas, The present Committee on Appropriations is now overworked, and it is impossible for the present Committee on Appropriations to fully investigate the details of the workings of the various State departments and to investigate in detail the necessity for continuing certain appropriations which have been made in the past for the support and maintenance of such departments; and

Whereas, It is imperative that the Legislature be fully informed as to the necessity for each appropriation that it makes to the end that all money expended by the State may be judiciously and wisely expended; and

Whereas, There are prevalent rumors to the effect that State funds are being unwisely expended by numerous State departments, and it is imperative that the Legislature be fully informed as to the use to which all appropriations made by it are put; now, therefore, be it

Resolved by the House of Representatives:

Section 1. That the Speaker of the House be, and he is hereby, authorized and directed to appoint a committee of five members of the House, which committee shall select its own chairman. It shall be the duty of said committee to inquire into the manner in which State funds are expended and the purposes for which State funds are used by any and all State departments and institutions; and it shall further be its duty to investigate fully the necessity for making appropriations for the maintenance of each and all of the State departments and institutions, and to that end to inquire into the affairs and activities of governmental departments and institutions of whatever character or kind, as such activities affect or relate to the financial or other welfare of the citizens of Texas.

Sec. 2. That said committee shall have power to formulate its own rules or procedure and evidence, and to provide for its own hours for meeting and adjourning; said committee shall sit in the Capitol at Austin, or at such other place or places as it may deem proper, during its sessions, and sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session. The chairman of said committee shall be elected by a majority vote of the members of said committee, and the committee shall appoint its own secretary and employes, and its sergeant-at-arms, from the list of House employes.

Sec. 3. That the committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and produce all books and records, and upon disobedience of any subpoena the said

committee shall have power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State, or by any State ranger. Said committee shall have power to inspect and make copies of any books, records or files of departments and institutions and any and all officers and/or employes of departments and institutions under investigation by said committee, and of any county or political subdivision of the State, and shall also have power to examine and audit the books of any person, firm, or corporation having dealings with departments and institutions and any and all officers and/or employes of departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all powers necessary in order to accomplish the purpose for which it is appointed.

Sec. 4. Said committee shall have power and authority to use all necessary experts, investigators, stenographers, clerks, auditors, and all other necessary States employes, and it shall be the duty of said committee to make and keep a record of its investigation.

Sec. 5. That said committee may call upon the Attorney General's Department, Auditing Department, Ranger Department, and all other departments for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon request of the chairman or members of said committee.

Sec. 6. That said committee shall begin and complete its investigation at the earliest practicable moment and shall submit a report in writing to the Forty-fourth Legislature. The compensation and expenses herein provided for incident to the work of such committee shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Regular Session of the Forty-fourth Legislature, upon sworn account of the persons entitled to such pay, when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mile-

age and per diem and contingent fund of said Regular Session of the Forty-fourth Legislature to meet the payment of the expenses of the members of said committee, and the per diem and expenses of witness, fees, and other expenses incident to said investigation.

Sec. 7. Said committee may include in its report its recommendation of any legislation that should be enacted or other action that should be taken.

KING,  
CALVERT,  
GRAVES,  
POPE,  
KNETSCH.

The resolution was read second time.

Question—Shall the resolution be adopted?

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, January 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 12, Relative to the Interscholastic League of Texas.

H. C. R. No. 22, Inviting Hon. "Alfalfa Bill" Murray to address a Joint Session of the House and Senate at 10:45 a. m., Wednesday, January 30, 1935.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### ADDITIONAL SIGNERS OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS

By unanimous consent of the House, the following members were granted permission to sign bills and resolutions, as follows:

Mr. Cooper and Mr. Collins: House Joint Resolution No. 22.

Mr. Celaya: House Bills Nos. 48, 49, and 318.

Mr. Huddleston: House Joint Resolution No. 26.

Mr. Knetsch: House Bill No. 325.

#### ADDRESS BY HON. WILLIAM H. MURRAY

In accordance with the provisions of House Concurrent Resolution No.

22, providing for a Joint Session of the House and Senate to hear an address by Hon. W. H. Murray, the Honorable Senators, at 10:45 o'clock a. m., were announced at the bar of the House and, being admitted, were escorted to seats prepared for them.

Senator K. M. Regan, President Pro Tempore of the Senate, was escorted to a seat on the Speaker's stand.

Hon. W. H. Murray, accompanied by Senators Van Zandt, Woodruff, and Oneal, committee on the part of the Senate, and Messrs. Adamson, Rogers, Atchison, Walker, and Waggoner, committee on the part of the House, was escorted to a seat on the Speaker's stand.

Speaker Stevenson called the House to order, and stated that the two houses were in Joint Session for the purpose of hearing an address by Hon. William H. Murray, former Governor of Oklahoma.

Senator K. M. Regan, President Pro Tempore of the Senate, called the Senate to order.

Speaker Stevenson presented Hon. J. W. Adamson, who presented Senator Olan R. Van Zandt.

Senator Van Zandt introduced Hon. William H. Murray.

Mr. Murray then addressed the Joint Session and the assemblage.

#### ADJOURNMENT

Mr. Thornton moved that the House recess to 10 o'clock a. m., tomorrow.

Mr. Quinn moved that the House recess to 2:30 o'clock p. m., today.

Mr. Reed of Bowie moved that the House adjourn until 10 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Reed of Bowie, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution as follows:

Highways and Motor Traffic: House Bill No. 188.

Insurance: House Bill No. 162.

Oil, Gas, and Mining: House Bill No. 227.

The Committee on Conservation and Reclamation filed an adverse report on House Bill No. 29.

The Committee on Constitutional Amendments filed an adverse report, with a minority favorable report, on House Joint Resolution No. 17.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, January 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 115, A bill to be entitled "An Act to amend Article 1580, Chapter 5, Title 18, of the Revised Criminal Statutes of Texas, 1925, relating to the hours of labor on public work; repealing Article 5166, Revised Civil Statutes of Texas, 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, January 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 159, A bill to be entitled "An Act to amend Article 1683 of the Revised Civil Statutes so as to provide that county librarians who have received a certificate of qualification for office one time from the State Board of Examiners, and said county librarian has under said certificate received employment in any county library in this State, said librarian may thereafter be re-employed by said county library without further examination and the issuance of another certificate from said State Board of Library Examiners, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, January 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 172, A bill to be entitled "An Act repealing Senate Bill No. 866, Chapter 185, and House Bill No. 104, Chapter 84, Acts of the Forty-third Legislature in its Regular Session in 1933, and to amend Sections 1, 2, and 6, Chapter 148 of the General Laws passed by the Forty-second Legislature in its Regular Session in

1931, relating to the authority of counties and incorporated cities and the Texas Parks Board, separately, or in co-operation with each other, to acquire by gift or purchase land for public parks, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

## In Memory of Hon. Jed C. Adams

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Mr. Colquitt offered the following resolution:

Whereas, We have learned with profound sorrow of the death of Hon. Jed C. Adams, a member of the United States Board of Tax Appeals; and

Whereas, The Hon. Jed C. Adams was a great lawyer, a great Democrat and a great citizen of Texas; therefore, be it

Resolved, That it is the sense of this House that in his death the loss to his State, his party and his friends is irreparable; and be it further

Resolved, That we extend to his wife and children the sympathy of this House and that the Chief Clerk of this House be directed to send to his family a copy of these resolutions, and that same be printed in the Journal.

COLQUITT,  
COLLINS,  
REED of Dallas,  
STINSON,  
HUGHES,  
HARRIS of Dallas,  
MORRISON,  
PAYNE.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, Moffett, Moore, Morris, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Petsch, Pope, Quinn, Reader, Reed of Bowie, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Colquitt, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.